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|----------------------------------|---|---------------------|
| In re Application of | : | DECISION ON RENEWED |
| CINDRICH et al | : | |
| PCT No.: PCT/US2004/026109 | : | |
| Application No: 10/567,051 | : | |
| Int. Filing Date: 12 August 2004 | : | PETITION UNDER |
| Priority Date: 12 August 2003 | : | |
| Attorney's Docket No.: P-6244/C | : | |
| For: PATCH-LIKE INFUSION DEVICE | : | 37 CFR 1.47(a) |

This is in response to the "RENEWED PETITION UNDER 37 CFR 1.47(a)" filed on 21 December 2007. The petition fee has been paid.

BACKGROUND

In a decision from this Office on 24 October 2007, the initial petition under 37 CFR 1.47(a) was dismissed. The decision stated that item (2) had not been satisfied.

On 21 December 2007, petitioner submitted a "Renewed Petition Under 37 CFR 1.47(a)" requesting reconsideration of the Office's decision of 24 October 2007 with respect to accepting the above application without the signature of Mr. Howell.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor.

The renewed petition of 21 December 2007 has satisfied item (2) under 37 CFR 1.47(a).

Regarding item (2), a statement by Ursula M. Polignone, who has first-hand knowledge of the facts of the previous petition, has providing a statement outlining the steps she took to mail the application papers to the non-signing inventor Glade HOWELL on November 17, 2006.

Consequently, at this time it can be concluded that Mr. Howell has refused to sign the documents.

Petitioner has now satisfied item (2) under 37 CFR 1.47(a), thus completing the requirements under 37 CFR 1.47(a).

CONCLUSION

The petition under 37 CFR 1.47(a) is **GRANTED**.

The Application Division and the International Division are authorized to accept the application as a 37 CFR 1.47(a) application and to mail a filing receipt. The application will be given a 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) date of **29 January 2007**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371.



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